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Allen E. Schiavelli ANTONELLI, TERRY, STOUT & KRAUS 1300 North Seventh Street - Suite 1800 Arlington, Virginia 22209

In re Application of

HAHNE, Ernst August *et al* Application No.: 09/647,896 PCT No.: PCT/EP00/05478

Int. Filing Date: 14 June 2000

Priority Date Claimed: 18 October 1999 Attorney Docket No.: 320.38785X00

For: DEVICE FOR MOISTENING A

MATERIAL WEB

PETITION

This decision is in response to applicants "Response to Communication and Petition Under 37 CFR 1.182" ("Pet.") filed 22 October 2001. The \$130.00 petition fee has been paid.

BACKGROUND

On 06 October 2000, applicants submitted a transmittal letter and other papers in an attempt to enter the national stage in the United States pursuant to 35 U.S.C. 371. However, applicants did not list a PCT number on any of the papers submitted.

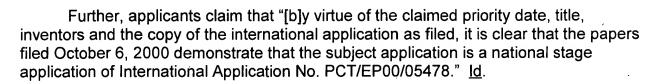
On 21 September 2001, a communication was mailed notifying applicants that a petition pursuant to 37 CFR 1.182 was required in the above-captioned application. Applicants were requested to list the PCT number corresponding to the above-captioned application and explain how the papers filed 06 October 2000 show that the subject application is a national stage application of that international application.

On 22 October 2001, applicant filed the instant petition which was accompanied by, *inter alia*, a copy of international publication No. WO 01/28693.

DISCUSSION

In the instant petition, applicants request that the papers filed 06 October 2000 be treated as a national stage application of PCT/EP00/05478. Applicants argue that despite not providing the international application number with any of the papers filed on 06 October 2000, "applicants identified the international application by claimed priority date, title of invention and inventors." Pet. ¶ 3. Applicants also state that they "submitted a copy of the international application as filed." Id.





A review of the papers filed 06 October 2000 show that the title, priority date, and inventors were listed on the transmittal letter. A copy of the international application was also submitted on 06 October 2000.

Accordingly, the statements above are sufficient to demonstrate that the subject application is a national stage application of PCT/EP00/05478.

DECISION

The petition under 37 CFR 1.182 to treat the submission of 06 October 2000 as national stage papers for PCT/EP00/05478 is hereby **GRANTED**.

Applicants have completed the requirements for acceptance under 35 U.S.C. 371(c). The application has an international filing date of 14 June 2000, under 35 U.S.C. 363, and a 35 U.S.C. 371(c) date of <u>06 October 2000</u>.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.

Boris Milef

PCT Legal Examiner

PCT Legal Office

James Thomson
Attorney Advisor

PCT Legal Office

Tel.: (703) 308-6457